

REMARKS

Summary of the Amendment

Upon entry and consideration of the instant amendment, claims 162-223 and 244 will have been canceled, claims 224, 228, 230, 237, 259-263, 273 and 274 will have been amended, and claims 275-289 will have been added. Accordingly, claims 224-243 and 245-289 will be pending and under consideration.

Summary of the Official Action

In the instant Office Action, the Examiner indicated that claims 162-223 were withdrawn from consideration based on a Restriction Requirement. The Examiner also objected to the title and the drawings. Additionally, claims 240 and 264 were objected to. The Examiner also rejected claims 232, 252 and 253 as being indefinite. Finally, the Examiner rejected claims 224-274 over the applied art of record. By the present remarks, Applicant submits that the rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Restriction Requirement

Applicant acknowledges the Restriction Requirement. By this Amendment, the claims withdrawn by the Examiner on the basis of the Restriction Requirement are canceled. Applicant reserves the right to file one or more divisional applications directed to the subject matter of these claims.

The Specification Objection is Improper

The Examiner objects to the title as not being descriptive. Applicant respectfully disagrees and submits that the title is sufficiently descriptive consistent with current USPTO rules and guidelines. Applicant, however, is not adverse to entertaining any suggestions the Examiner may have which could make the title more descriptive.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the objection to the specification.

The Drawing Objection is Moot

The Examiner objects to Fig. 6 because it is not labeled "Prior Art". By this Amendment, Fig. 6 is amended to address this alleged deficiency.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the objection to the drawings.

The Claim Objection is Improper

The Examiner objects to claims 240 and 264 on the basis of Rule 1.75(c) as being in improper dependent form and not further limiting the claims from which they depend. Applicant respectfully disagrees and submits that these claims further define the tissue web. Even if such language is deemed to intended use or non-structural, such language is not *per se* improper or inconsistent with rule 1.75(c).

Accordingly, Applicant requests that the Examiner reconsider and withdraw the objection to the specification.

The Section 112, 2nd paragraph, Rejection, is Improper

Claims 232, 252 and 253 were rejected as allegedly being indefinite for being incomplete. Applicant respectfully disagrees and submits that to the extent that the Examiner believes that the claims are indefinite for omitting features (which appears to be what the Examiner is arguing) along the lines of MPEP 2172.01, Applicant submits that they are not required under section 112, second paragraph, to limit the invention to any particular cooperative relationship between the recited structural features. Applicant respectfully submits the Examiner has misunderstood MPEP sections such as MPEP 2172.01, which indicates that when it is indicated "by applicant" in the specification that certain features are essential to the invention, such features must be recited in the claims. The Examiner has identified no features which were indicated "by Applicant" to be essential to the invention in the specification and which are not recited in the claims. In fact, Applicant has not asserted in the specification that certain devices are critical or essential to the invention. Certainly, none of the elements noted by the Examiner have been so described, and the Examiner has respectfully failed to point to any portion of the specification which supports the Examiner's position that such devices are asserted to be critical. Accordingly, the Examiner's apparent reliance on MPEP sections such as MPEP 2172.01 is respectfully misplaced and this rejection is believed to be improper and should be withdrawn.

Moreover, Applicants are unaware of any requirement, under either the patent statutes or rules, requiring Applicant to limit the invention to any particular or preferred disclosed embodiment. Applicant submits that if the claim limitations are clear and have support in the specification, they cannot be properly rejected as indefinite merely because the Examiner would prefer that the claims recite more detailed limitations.

Furthermore, the Examiner has set forth no legal basis for requiring Applicant to limit the invention in the suggested manner. Section 112, 2nd paragraph, does not require Applicant to specify the relationship between the hood and features previous recited in other claims. Applicant submits that the requirement that the claims be interpreted in light of the specification provides sufficient basis for the claims being definite. The Examiner is reminded that Applicant is entitled to the broadest reasonable interpretation permitted by the prior art, and that one of ordinary skill in the art, having read the specification, would understand what the claims define.

Accordingly, Applicant respectfully submits that the rejection of the above-noted claims should be withdrawn.

Traversal of Rejections Under 35 U.S.C. § 102

Over Linden

Applicant traverses the rejection of claims 224, 226-229, 231-234, 236, 237, 240, 241, 243, 246-248, 250, 252, 254-256, 260, 264-266, 268-270 and 274 under 35 U.S.C. § 102(b) as being anticipated by US Patent Application Publication No. 2002/0060036 to LINDEN.

In the rejection, the Examiner asserted that LINDEN discloses all the recited features of these claims, including the recited free web draw. Applicant respectfully traverses this rejection.

Applicant respectfully submits that this rejection is improper because LINDEN fails to disclose, or even suggest: inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer device at least largely bridging an entire distance between the creping doctor and the winding device *and moves around a winding drum of the winding device*, and

a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 224; and inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer belt at least largely bridging an entire distance between the creping doctor and the winding device and *moving around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer belt and the tissue web has an opposite unsupported side between the creping doctor and the winding device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 274.

Applicant does not dispute that LINDEN teaches a tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Figs. 7B-7E). Applicant, however, submits that LINDEN fails to teach or suggest a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m. Applicant notes that while LINDEN discusses a controllable or variable nip pressure (see, e.g., paragraphs [0048] and [0058]), it does not appear to teach or suggest the recited line force in the recited winding nip.

For the foregoing reasons and because this document fails to disclose the above-noted features of the instant invention, Applicant submits that this document fails to disclose each and every recited feature of claims 224 and 274. Accordingly, Applicant submits that the Examiner has failed to provide an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C.

§ 102(b) and that the instant rejection is improper.

Finally, Applicant submits that dependent claims 226-229, 231-234, 236, 237, 240, 241, 243, 246-248, 250, 252, 254-256, 260, 264-266 and 268-270 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that LINDEN cannot be read to disclose or suggest each of the additional features recited in these claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection and further requests that the above noted claims be indicated as allowable.

Over Clarke

Applicant traverses the rejection of claims 224-229, 231-237, 240, 241, 243, 255, 256, 259, 260, 264, 269 and 274 under 35 U.S.C. § 102(e) as being anticipated by US Patent Application Publication No. 2003/0111199 (incorrectly indicated as 2000/0111199) to CLARKE et al.

In the rejection, the Examiner asserted that CLARKE discloses all the recited features of these claims, including the recited free web draw. Applicant respectfully traverses this rejection.

Applicant respectfully submits that this rejection is improper because CLARKE fails to disclose, or even suggest: inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer device at least largely bridging an entire distance between the creping doctor and the winding device *and moves around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer device, and wherein *the winding device comprises a*

winding nip which produces a line force that is less than or equal to 0.8 kN/m, as recited in amended independent claim 224; and inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer belt at least largely bridging an entire distance between the creping doctor and the winding device and *moving around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer belt and the tissue web has an opposite unsupported side between the creping doctor and the winding device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 274.

Applicant does not dispute that CLARKE teaches a paper or tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Fig. 2). Applicant, however, submits that CLARKE does not teach or suggest a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m. Applicant notes that while CLARKE discusses a winding nip (see, e.g., paragraph [0021]), it does not appear to teach or suggest the recited line force in the winding nip.

For the foregoing reasons and because this document fails to disclose the above-noted features of the instant invention, Applicant submits that this document fails to disclose each and every recited feature of claims 224 and 274. Accordingly, Applicant submits that the Examiner has failed to provide an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(e) and that the instant rejection is improper.

Finally, Applicant submits that dependent claims 225-229, 231-237, 240, 241, 243, 255, 256,

259, 260, 264 and 269 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that CLARKE cannot be read to disclose or suggest each of the additional features recited in these claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection and further requests that the above noted claims be indicated as allowable.

Over Klerelid

Applicant traverses the rejection of claims 224, 226-229, 231-234, 236, 237, 240, 241, 243, 246-248, 250, 252, 254-257, 260, 261, 264-266, 268-270 and 274 under 35 U.S.C. § 102(e) as being anticipated by US Patent Application Publication No. 2003/0221807 to KLERELID et al.

In the rejection, the Examiner asserted that KLERELID discloses all the recited features of these claims, including the recited free web draw. Applicant respectfully traverses this rejection.

Applicant respectfully submits that this rejection is improper because KLERELID fails to disclose, or even suggest: inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer device at least largely bridging an entire distance between the creping doctor and the winding device *and moves around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 224; and inter alia, a device for producing a tissue web comprising at least one

drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer belt at least largely bridging an entire distance between the creping doctor and the winding device and *moving around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer belt and the tissue web has an opposite unsupported side between the creping doctor and the winding device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 274.

Applicant does not dispute that KLERELID teaches a tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Fig. 11). Applicant also acknowledges that KLERELID teaches to use a nip load of between 100 and 250 N/m in the reel-up (see paragraph [0021]). However, it is submitted that KLERELID utilizes a nip 32/34 between the free web draw and the winding device 30/44 and/or upper and lower transfer belts 26/46 (see Figs. 11-14 and 21, and 17-20) to transfer the tissue web between the free web drawn and the winding device and/or a support device 24 between the doctor and the transfer belt (see Figs. 15-16 and 21). The invention, in contrast, utilizes a free web draw from the doctor to the transfer device as well as a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m and further in combination with a transfer device which supports the tissue web between the free web draw and the winding device.

For the foregoing reasons and because this document fails to disclose the above-noted features of the instant invention, Applicant submits that this document fails to disclose each and every recited feature of claims 224 and 274. Accordingly, Applicant submits that the Examiner has

failed to provide an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b) and that the instant rejection is improper.

Finally, Applicant submits that dependent claims 226-229, 231-234, 236, 237, 240, 241, 243, 246-248, 250, 252, 254-257, 260, 261, 264-266 and 268-270 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that KLERELID cannot be read to disclose or suggest each of the additional features recited in these claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection and further requests that the above noted claims be indicated as allowable.

Traversal of Rejections Under 35 U.S.C. § 103(a)

Over Clarke alone

Applicant respectfully traverses the rejection of claims 230, 238, 239, 242, 244-254, 257, 258, 261-263, 265-268 and 270-273 under 35 U.S.C. § 103(a) as unpatentable over CLARKE alone.

The Examiner acknowledges that CLARKE lacks, among other things, the recited features of these claims. However, the Examiner asserts that such features are well known and that it would have been obvious to one of ordinary skill in the art to modify CLARKE so as to utilize such known devices. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses or suggests, Applicant submits that no proper modification of this document discloses or suggests: inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer device

at least largely bridging an entire distance between the creping doctor and the winding device *and moves around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 224.

As explained above, while Applicant does not dispute that CLARKE teaches a paper or tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Fig. 2), CLARKE does not teach or suggest a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m. Applicant notes that while CLARKE discusses a winding nip (see, e.g., paragraph [0021]), it does not appear to teach or suggest the recited line force in the winding nip.

Thus, Applicant submits that the above-noted document fails to disclose or suggest the features recited in at least independent claim 224. Because no proper modification of the above-noted document discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper modification of this document can render unpatentable the combination of features recited in at least independent claim 224.

Furthermore, Applicant submits that there is no rationale disclosed or suggested in the art to modify any of the applied document in the manner asserted by the Examiner. The allegedly well known features do not cure the above-noted deficiencies. Therefore, Applicant submits that the invention as recited in at least independent claim 224 is not rendered obvious by any reasonable inspection of this disclosure.

Finally, Applicant submits that dependent claims 230, 238, 239, 242, 244-254, 257, 258, 261-263, 265-268 and 270-273 are allowable at least for the reason that these claims depend from an

allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper modification of CLARKE discloses or suggests; the specific additional features recited in the above-noted dependent claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection and further requests that the above noted claims be indicated as allowable.

Over Linden with Clarke

Applicant respectfully traverses the rejection of claims 225, 230, 235, 238, 239, 242, 244, 245, 249, 251, 253, 257-259, 261-263, 267 and 271-273 under 35 U.S.C. § 103(a) as unpatentable over LINDEN in view of CLARKE.

The Examiner acknowledges that LINDEN lacks, among other things, the recited features of these claims. However, the Examiner asserts that such features are taught in CLARKE and that it would have been obvious to one of ordinary skill in the art to modify LINDEN in view of CLARKE. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests: inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer device at least largely bridging an entire distance between the creping doctor and the winding device *and moves around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the transfer device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 224.

As explained above, Applicant does not dispute that LINDEN teaches a tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Figs. 7B-7E). Applicant, however, submits that LINDEN fails to teach or suggest a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m. Applicant notes that while LINDEN discusses a controllable or variable nip pressure (see, e.g., paragraphs [0048] and [0058]), it does not appear to teach or suggest the recited line force in the recited winding nip.

CLARKE does not cure the deficiencies of LINDEN. While Applicant does not dispute that CLARKE teaches a paper or tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Fig. 2), CLARKE does not teach or suggest a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m. Applicant notes that while CLARKE discusses a winding nip (see, e.g., paragraph [0021]), it does not appear to teach or suggest the recited line force in the winding nip.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least independent claim 224. Because no proper modification of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper modification of these documents can render unpatentable the combination of features recited in at least independent claim 224.

Furthermore, Applicant submits that there is no rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. The allegedly well known features do not cure the above-noted deficiencies. Therefore, Applicant submits that the invention as recited in at least independent claim 224 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claims 225, 230, 235, 238, 239, 242, 244, 245,

249, 251, 253, 257-259, 261-263, 267 and 271-273 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of LINDEN and CLARKE discloses or suggests; the specific additional features recited in the above-noted dependent claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection and further requests that the above noted claims be indicated as allowable.

Over Klerelid with Clarke

Applicant respectfully traverses the rejection of claims 225, 230, 235, 238, 239, 242, 244, 245, 249, 251, 253, 258, 259, 262, 263, 267 and 271-273 under 35 U.S.C. § 103(a) as unpatentable over KLERELID in view of CLARKE.

The Examiner acknowledges that KLERELID lacks, among other things, the recited features of these claims. However, the Examiner asserts that such features are taught in CLARKE and that it would have been obvious to one of ordinary skill in the art to modify KLERELID in view of CLARKE. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests: inter alia, a device for producing a tissue web comprising at least one drying cylinder, a creping doctor arranged on the at least one drying cylinder, a winding device for winding up the tissue web, a transfer device at least largely bridging an entire distance between the creping doctor and the winding device *and moves around a winding drum of the winding device*, and a free web draw arranged between the creping doctor and the winding device, wherein the tissue web is supported on only one side by the

transfer device, and wherein *the winding device comprises a winding nip which produces a line force that is less than or equal to 0.8 kN/m*, as recited in amended independent claim 224.

As explained above, Applicant does not dispute that KLERELID teaches a tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Fig. 11). Applicant also acknowledges that KLERELID teaches to use a nip load of between 100 and 250 N/m in the reel-up (see paragraph [0021]). However, it is submitted that KLERELID utilizes a nip 32/34 between the free web draw and the winding device 30/44 and/or upper and lower transfer belts 26/46 (see Figs. 11-14 and 21, and 17-20) to transfer the tissue web between the free web drawn and the winding device and/or a support device 24 between the doctor and the transfer belt (see Figs. 15-16 and 21). The invention, in contrast, utilizes a free web draw from the doctor to the transfer device as well as a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m, and further in combination with a transfer device which supports the tissue web between the free web draw and the winding device.

CLARKE does not cure the deficiencies of KLERELID. While Applicant does not dispute that CLARKE teaches a paper or tissue machine utilizing a free web draw between a doctor and a transfer belt (see, e.g., Fig. 2), CLARKE does not teach or suggest a winding device comprising a winding nip which produces a line force that is less than or equal to 0.8 kN/m. Applicant notes that while CLARKE discusses a winding nip (see, e.g., paragraph [0021]), it does not appear to teach or suggest the recited line force in the winding nip.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least independent claim 224. Because no proper modification of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper modification of these documents can render unpatentable the

combination of features recited in at least independent claim 224.

Furthermore, Applicant submits that there is no rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. The allegedly well known features do not cure the above-noted deficiencies. Therefore, Applicant submits that the invention as recited in at least independent claim 224 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claims 225, 230, 235, 238, 239, 242, 244, 245, 249, 251, 253, 258, 259, 262, 263, 267 and 271-273 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of KLERELID and CLARKE discloses or suggests; the specific additional features recited in the above-noted dependent claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection and further requests that the above noted claims be indicated as allowable.

New Claims are also Allowable

Applicant submits that the new claims 275-289 are allowable over the applied art of record. Specifically, claims 275-289 depend from claim 224 which are believed to be allowable. Moreover, claims 275-289 recite a combination of features which are clearly not disclosed or suggested by the applied art of record. Accordingly, Applicant respectfully requests consideration of these claims and further requests that the above-noted claims be indicated as being allowable.

Application is Allowable

Thus, Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 112, 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim.

Authorization to Charge Deposit Account

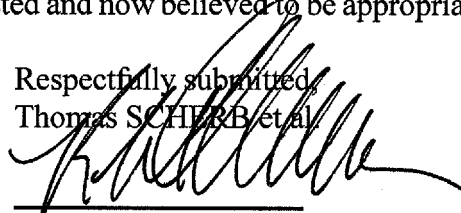
The Commissioner is authorized to charge to Deposit Account No. 19-0089 any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, in order to maintain pendency of this application.

CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicant's invention, as recited in each of the pending claims. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
Thomas SCHERB et al.


Neil F. Greenblum
Reg. No. 28,394

Robert W. Mueller
Reg. No. 35,043

August 21, 2009
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191